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GOV. BLAIR'S SPEECH.

POLITICAL ISSUES BEFORE THE PEOPLE.

VIEWS AND ASSUMPTIONS OF THE RADICALS,—AND COMMENTS UPON THEM,

And upon the Proposed Amendments to the Constitution.

A COMPROMISE NECESSARY.

GOVERNOR BLAIR'S SPEECH.

Gov. Blair gave the people a specimen of his fanatical effusions at the Court House, on monday eveniug. He dwelt largely upon the danger of the rebel debt being assumed by the United States, and the necessity of adopting the proposed amendment to the Constitution of the United States, to prevent such an assumption. The pretence that there is any real danger of such an assumption is all humbug, for the following reasons; First, the rebel debt is held by a very small portiou of the South ern people ; perhaps not one-tenth par- of them are interested in it, and the masses of the people at the south will be very willing, and the most of them anxious to avoid its payment—in order to lesaen their burthern of taxation as much as possible. Very few members of Congress can be elected, even at the scuth, who favor such assumption.

2dly. The Southern States are greatly impoverished; large districts, have been devastated by war, and socie y, industry and business in all of them have been de ranged and broken up ; the aristocracy and the influence of the great slaveholders have been overturned and destroyed, and the masses of the people not interested in the rebel debt, will insist upon repudiating it, in order to lessen their taxes. There will be in future no great and wealthy aristocracy to lord it over the people of the south as there has been in the past.

3dly. Only a small portion of the people of the eleven States are interested in the rebel debt. All the other States including Delaware, Maryland, Western Virginia, Kentucky, and Missouri, and all the Northern, Western and Pacific States, will be opposed to it. We shall soon have in all over forty States ; and if all the Senators and Representative from the eleven seceding States should

support such a measure, there would be nearly three to one against them in the Senate, and more than three to one against them in the House of Representatives.

4thly. The idea suggested by the arch demagogue, that such a measure can be carried through Congress by bribery,—by buying up a Majority of both Houses is silly and absurd. The President of the United States must also be bribed—to approve the bill—or else they must bribe or buy up enough to carry the bill by a two-thirds vote over his veto.

Gov. Blair ought to be ashamed of such absurd appeals to the fears and prejudices of the people. If the 4th section of the proposed amendment could be adopted by itself—the people of the United States, both North and South, East and West, would support it, in order to prevent any agitation of the question, and appeals of demagogues to the people—upon the subject. They would go also in favor of the first section of the proposed amendment if only one word, the word CIVIL was inserted therein, before the word privileges; so as to make the section clear and definite, confine it to civil rights and privileges, and prevent politibal demagogues and fanatics from urging in future that it confers political as well as civil rights and privileges upon the colored races.

The third section of the proposed amendment would also be adopted if it could be separately, and only a few words were struck out, which extends the disqualification to State as well as to federalofficers. A substitute for the second section ought also to be adopted to prevent an increase of political power at the south by reason of the emancipation amendment. But we fear all proper amendments will be defeated by coupling them with those that are improper and impracticable, and unacceptable to the Southern States.

POLITICAL ISSUES BEFORE THE PEOPLE.

1st. The great and direct issue presented to the American people is, shall loyal representatives from the Southern States, who can take the test oath prescribed by Congress, be immediately admitted into Congress, and the restoration of the Union be thus completed,

The Conservatives and all the real friends of the Union, say yes. The radical leaders say no. Though the Southern people have complied with all the terms and conditions imposed upon them by Presidents Lincoln and Johnson, and by Congress also, prior to the last session thereof, the radicals have determined to impose upon them further conditions.

After being in session more than six months, in June last the Republican members of the Joint Committee of the two Houses on Reconstruction, reported a proposition to amend the Constitution of the United States and to add thereto a new article consisting of five sections.

2d. The proposed amendment to the Constitution presented by the majority of that committee and adopted by the Republican members of both Houses of Congress, is the only issue directly

presented to the people by the Republican party.

But neither the radical leaders nor the Republican party, are directly pledged to admit loyal representatives from the southern States after the proposed amendments shall have been ratified by three-fourths of the States—in case they shall be so ratified. On the contrary, the republican majority in Congress expressly refused to pass the bill presented by the committee, to make such pledge, and rejected the bill.

They do not intend to admit the representatives of those States upon any such conditions. This is declared by some of the leading radicals. Their real object is to mask and conceal their ultimate views and purposes until after the election, to the end that they may the more effectually deceive and humbug the people—to enable them to carry the election this fall, procure the ratification of the proposed amendments—to gain time and prevent those States from voting at the Presidential election in 1868—and to use the advantages thus gained and their renewed lease of power, to impose still further conditions upon those States. prior to the admission into congress of their representatives. We must therefore look farther and beyond the proposed amendments to the Constitution, for the real issue which the radicals have determined to force upon the American people. The great issue which they have resolved to force upon the country is masked by the Republican leaders, and will be kept concealed from the people as much as possible, until after the election; but it is really the great issue before the country, and the people must soon settle it.

3d. The third—the great masked issue is, shall the radicals be allowed to ignore and overturn the present State governments of the seceding States—to pass and carry into effect bills to establish governments over those States as conquered provinces or territories, subordinate to the federal government, as other territories are—to prescribe the elective franchise therein—to confer the elective franchise on the freedmen and all colored men, and disfranchise all or nearly all the whitemen who participated in the rebellion; and in that mode provide for the election of delegates to another convention in each of those States, to revise the constitution thereof, and to re-organize those States on such a basis.—That is the end which the radicals are striving to attain for partizan purposes—for the purpose of perpetuating their own power; and the union will never be restored, if they can prevent it, until that end is attained.

The wishes and efforts of the radicals to attain that end, and those of the conservatives to prevent its attainment, constitute the great and final issue now pending before the American people. It is an issue which involves a revolution in our government, the absorption of nearly all the sovereign powers of the States by Congress, and the virtual change of our system from a federal government formed of States sovereign and independent for interior and domestic purposes, into a great centralized government, with sovereign powers almost unlimited.—

We are rapidly drifting into a great central absolute government, which is gradually sapping the foundations of our State governments and absorbing their powers.

The principles of self-government are involved in and depend upon our State governments; and when they are destroyed, the fabrick of self-government will soon perish, and the political liberties of the people will perish with them.

VIEWS AND ASSUMPTIONS OF THE RADICALS.

Eleven of the Southern States having without just cause, declared their independence of and seceded from the Union, withdrawn their representatives from Congress, and established a Confederate Government independent of and hostile to the government of the United States; and having seized the Forts, Arsenals and Navy Yards, Custom Houses and other property of the Federal Government within their reach—threatened the city of Washington, and waged an unjust civil war against the government of the United States and against the loyal people who adhered thereto—it is assumed and declared by the radical republicans, and by a majority of the joint committee of fifteen appointed by Congress at the last session thereof;

1st. That the people of the seceding States by their acts made themselves public enemies, subject to all the rules which by the laws of nations, control civil as well as international wars—and to all the consequences which legitimately follow a war between independent nations.

2d. That one of the consequences resulting from the war, was that, within the limits prescribed by humanity. the conqured rebels were at the mercy of the conquerors—that they were reduced to the condition of enemies conquered in war; entitled only by public law, to such rights, privileges and conditions as may be vouchsafed [granted] by Congress.

3d. That by withdrawing their representatives and waging war, they became "*Public enemies*,', and voluntarily renounced the right to representation in Congress.

4th. That the people of those States forfeited all *civil and political rights under the constitution*; and can be restored thereto only by the authority of that constitutional power against which they rebelled, and by which they were subdued.

5th That the authority to restore rebels to political power in the federal government can be exercised only with the concurrence of all the departments in which political power is vested, (including the Senate and House of Representatives as well as the President).

6th. That further legislation by Congress is necessary, before those States will be or can be entitled to participate in the government of the United States, by their representatives in Congress

7th. That "no proof has been afforded of a constituency in any one of the so-called confederate States, unless we except the State of Tennessee, qual

ified to elect Senators and Representatives in Congress ; and that there are no such constituences.

8th. 'That the States lately in rebelion were at the close of the war, disorganized communities, without civil government, and without constitutions or other forms by virtue of which political relations could legally exist between them and the federal government.'

9th, That no constitution has been legally adopted, except in the State of Tennessee ; and such elections as have been held, were without authority of law.

10th. That Congress would not be justified in admitting such communities to a participation in the government of the country, without first providing such constitutional guarantees as will tend to secure the civil rights of all citizens of the Republic ; a just equality of representation ; protection against claims founded in rebellion and crime ; and exclusion from positions of public trust, of at least a portion of those whose crimes have proved them to be enemies to the Union, and unworthy of public confidence.

COMMENTS ON THE VIEWS AND ASSUMPTIONS OF THE RADICALS.

The views of the radicals contain much truth and some sound reasoning; but it is truth blended with more or less fallacy and error--false assumptions and sophistry.

1st. It is true that the rebels of the seceding States became public enemies —but not alien enemies ; they were domestic enemies——not foreign enemies ; many of them were traitors as well as insurgents and revolutionists, and were subject to trial, condemnation and punishment as criminals. But such was not the case with the loyal people of those States ; otherwise the slaves and all the women and children would be included as criminals.

In a war with a foreign nation the United States are governed by the laws of nations ;—but not so in a civil war between the government of the United States and a portion of the citizens thereof. All nations and people are subject to the laws of nature—which were established by God in the nature of things, and in the nature and constitution of man. Government being necessary for the protection of individuals and the maintenance of order in society, it is based on that necessity, and on the laws of nature,—from which its just powers are derived, and by which it is limited. Our federal government and every legitimate government, has a right to exercise such extraordinary powers as are really necessary to overcome and put down any and all opposition to its legitimate and proper authority.

The Constitution Statutes and treaties of the United States, with such usages and practice as have grown up under them, constitute the entire code, civil, criminal and military of the United States,—except so far as the laws of nature may be said to supply the deficiences of the positive code. Each of the States has a common law in some measure peculiar to itself—but the United States as a nation have no common law, except such practice and usa

ges as have grown up under the constitution and statutes thereof—and some portion and principles of the laws of nature. They are not governed by the common law of England, by the public law of Europe, nor by laws of nations—except such parts of the laws of nations as harmonize with the federal constitution and the laws of nature. The federal government derives no powers whatever from the laws and usages of nations, nor from the public law of Europe in relation to war In their intercourse and wars with foreign nations the United States are governed by the laws and usages of nations; but in their domestic intercourse and their wars to put down insurrections and rebellions, revolutions and civil wars at home, they are governed by the constitution statutes and usages of the United States, and such portions of the laws of nature as harmonize with, and are necessary to supply the deficiencies thereof.

The laws and usages of nations furnish guides and evidences of what is proper and necessary in certain military situations and exigences, but they are not obligatory upon us as laws; and the federal government cannot derive any additional powers from such sources.

2d. The second position of the famous joint committee of Congress, is fallacious. The consequences resulting from victory in a civil war are very different from those resulting from victory and conquest in a foreign war. In the latter case there is some truth in the statement of the committee, that within the limits of humanity, conquered alien enemies are at the mercy of the conquerers so far as the future political Status and government, and also the public property of the vanquished party are concerned; but no farther. The laws of national warfare forbid the conquerer from taking the life or the private property of the vanquished, or reducing them to slavery, or imposing any penalty or punishment upon them; and all persons captured must be treated as prisoners of war, and discharged at the close of the war, if not previously exchanged or paroled.

If the same legal consequences that follow a foreign war, follow also a civil war, as the committee affirm, then the detention and imprisonment of Jefferson Davis, Stevens of Georgia and several other officers of the so-called Confederate government to be tried for treason, was and is a palpable violation of public law. If the rebels are regarded in law in the same light as alien enemies, then they have not been guilty of treason, nor any other crime against the United States; they have forfeited no rights of person or property, they need no pardon, and all the laws passed by Congress to confiscate their property are contrary to the principles of public law. It is only by distinguishing civil from foreign wars, that we can justify the detention and trial of Jefferson Davis, as a criminal, and can defend the justice and constitutionality of the laws of Congress—which provides for the confiscation of the property of insurgents.

3d, and 4th. It is very true that the rebels became public enemies, and renounced their rights to representation in Congress; but they did not forfeit any civil or political rights

under the constitution. for the very obvious reason,that Congress never passed any law declaring that treason or any other crime should work a forfeiture of either civil or political rights.

The act of Congress of July 1862, to suppress insurrection and punish treason and rebellion, and to confiscate the property of rebels, declares that any person convicted of treason shall suffer death, and all his slaves shall be made free, or he may be fined not less than $10,000, and shall also be forever incapable and disqualified to hold any office under the United States. It also provides for the confiscation of property.—The old law provides simply for capital punishment for treason—without any forfeiture of property, or of any other right, either civil or political.

The rebels by their crimes subjected themselves to trial and condemation for treason and to the death penalty, or to a fine, and certain other disabilities, and also to the confiscation of their property—but to no forfeiture of either civil or political rights, except the right to hold office under the United States. True, they renounced their allegiance and right to representatives in Congress; but they were invited by Resolutions of Congress, and by Proclamations of President Lincoln, and Johnson,—to return to their allegiance and to their former places in the Union and in the government thereof, on certain conditions; and like the prodigal son, they have accepted and complied with the conditions offered, and sent representatives again to Congress. and asked admission. Every principle of good faith and justice, as well as constitutional law, entitle them to representation by loyal representatives, who can take the test oath prescribed by Congress; but Congress has refused the admission of loyal members from ten of those States, and admitted them from Tennesse only.

Nearly all the rebels have been also pardoned by the President on certain conditions, with which they have complied. A pardon remits the penalty or penalties which the law imposes on a criminal for his crime, wipes out all the legal consequences of the crime, and restores the criminal to all the rights (if any) which he may have forfeited by reason of crime.

5th. The protence set forth in the fifth point of the Joint Committee, that the authority to restore rebels to political power can be exercised only by the President with the concurrence of both houses of Congress, is a false assumption. It is tantamount to a claim of right to participate in the pardoning power—to a claim to divide the pardoning power with the President; and that he cannot exercise it effectually without the approval and concurrence of both Houses of Congress.

A more preposterous claim was never set up by ambitious aspirants to power. If such views are to obtain in our country, all the independent and sovereign powers of the President will soon be usurped and swallowed up by Congress; and the President will become the mere tool of congressional and partizan leaders.

When the rebel armies surrendered and the Confederate Government was overthrown, it became the duty of the President to put the Constitution and the laws of the United States again into practical operation in the confederate States—to extend to them the Post Office dapartment—to open their ports and collect duties on imports—to extend to them the judicial department—to appoint officers for all such purposes—to see that the laws were faithfully executed—and to exercise the pardoning power liberally, according to the exigences of the country. All that was faithfully done by President Johnson; and it then became the business of the people who had ceased to be public enemies and had been pardoned by the President to proceed and re-organize their State governments under the State laws in force previous to the rebellion, and then in force; only those laws that related to the rebellion and the confederate government being void.

If, during the rebellion, Congress had passed an act declaring that the people of those States should forfeit their political rights and the right of self-government, and be reduced to the condition of conquered provinces, unless they laid down their arms and returned to their allegiance within a certain time—and had also provided a system of government for them as Territories on such contingency—then, when the conquest was achieved, it would have been the duty of the President to appoint the territorial officers provided for, and to see that these once equal and sovereign States were reorganized and governed under such act. But no such statute having become a law, it was necessary to reorganize the governments of those States under the laws then in force.

6th. The pretense of the joint committee that further legislation by Congress is necessary before those States will be entitled to participate in the government of the United States by their representatives in Congress, is based on false assumptions—on the assumption that they were legally out of the Union—that they had forfeited all their political rights under the Federal Constitution—and that they were reduced to the condition of conquered provinces.

1st. Though practically out of the Union for a time, they were never legally out of it. 2d. They returned to their allegiance upon the invitation of Congress and of Presidents Lincoln and Johnson. 3d. The greatest part of them have been pardoned by the President. 4th. Congress not having passed any act to forfeit their political rights before or during the rebellion, has no power to do so now. Congress has no power now to pass laws to forfeit their rights for crimes heretofore committed.

Congress is expressly prohibited by the Constitution from passing *ex post facto* laws—or laws to inflict upon the rebels new penalties, punishments or disabilities after the rebellion ceased. Those States never having been legally out of the Union—their political rights never having been forfeited, the people having returned to their allegiance, been pardoned, and reorganized their State governments, they are entitled to the same rights under the Constitution and the same representation in Congress, as if they had never rebelled.

7th. The fact that the civil and political rights of the people of those States, as citizens of the United States, have never been forfeited; that they have returned to their allegiance and been pardoned; that they have reorganized their State governments, and have never been out of the Union, constitutes all the evidence that is necessary of a constituency qualified to vote, and to elect Senators and Representatives in Congress.

8th. Those States had civil governments in the hands of usurpers until they were overturned by the victorious armies of the United States. They had constitutions, laws and governments in full operation. The main difficulty was, that the officers of those States had taken an oath to support the constitution of the Confederate government. It was, therefore, necessary to depose those usurping officers, and to have others elected, who would take an oath to support the Constitution of the United States. But no legislation by Congress was necessary, or competent, at that late day, to attain that end.

9th. It is idle to pretend that the new constitutions of the insurgent States have not been legally adopted, and that the elections held have been without authority of law; for if the new constitutions have not been legally adopted, then the old ones are still in force, subject to the amendment to the Constitution of the United States, abolishing slavery; and the former election laws continued in force until they were superseded by new laws. In either case, their present State governments are legal governments;—they are, at least, *de facto* governments, and their acts valid; or else the amendment to the federal Constitution has not been legally

adopted—slavery has not been legally abolished, but still remains, and all the acts of the Federal Government in relation to the freedmen have been in violation of law—mere acts of lawless violence. I presume the radicals will not wish to take that horn of the dilemma.

10th. The tenth and last position which I have stated, as taken by the joint committee of Congress, is worthy of more consideration than any of the others. The order of the positions taken are my own, and differs from that of the committee. Some amendments to the Constitution of the United States are desirable, and should be adopted; but there are strong objections to the most of the amendments now proposed by Congress:

First. All laws which impose penalties or disabilities upon any class of men, on account of treason or other crimes, should be made before the commission of the crime; and amendments to the Constitution, in accordance therewith, should also be proposed, and then they may properly be required to assent to such amendments as a condition of pardon. Otherwise, it is objectionable as an *ex post facto* law.

Secondly. The first section of the proposed amendment is so vague, that some may, and would, construe it as giving colored men equal political as well as civil rights with white men, and confer upon them the elective franchise in all the States. That section legalizes and makes permanent the first section of the Civil Rights' bill, upon which such a broad construction has been put in some places in Ohio. That objection might be obviated, and the section rendered unobjectionable by inserting the words *civil rights* before the word *privileges*.

Thirdly. The second and third sections are of an extreme character, and are extremely distasteful and offensive to the Southern people—so much so, that they will never adopt them; and if adopted at all, they must be forced upon those States.

Fourthly. Congress has not passed any law to provide for the immediate admission of representatives from these States, on their ratifying and adopting the proposed amendments; and they have no assurance that further conditions—including the condition of negro suffrage—may not be required, after the acceptance and adoption of those amendments.

There was great blindness and stupidity in proposing the amendment to abolish slavery, without, at the same time, proposing to amend the second section of the first article of the Constitution in relation to representation, by inserting the word *white* after the word *free*. Such an amendment would continue the basis of representation substantially the same as it was fixed by compromise by the Constitutional Convention of 1787. It does not seem just for Northern and Western States, that have but a very small colored population, and do not allow negro suffrage, to force it upon the Southern States, or to require them to adopt (as a means of obtaining their just representation in Congress) what has been rejected by all the States but four.

But the third section is the most objectionable of all, for it disqualifies nearly all the educated men of those States for holding a seat in a State Legislature, or holding any State, county, city or local office. So far as it refers to Congress and federal offices, the same thing is already provided for by the test oath law; and, therefore, it is unnecessary.

As to the fourth section of the proposed amendments, there are no good objections to it; and if it could be adopted separately, it would be adopted by all the States—North and South—East and West.

The policy and measures of the Republican party in refusing to allow the seceding States any representation in Congress, and attempting to force upon them very extreme amendments to the Constitution, and negro suffrage also, cannot be reconciled either with the original federal compact, the fundamen-

tal principles of the Constitution, national harmony, or with safety to our federal system of government. The whole tendency of such action is to undermine and destroy the State governments, and to build up a great central consolidated government, with unlimited powers.

A COMPROMISE NECESSARY.

The policy pursued by the Republican party has made the dividing line between parties more sectional than it ever was before. Every State north of Maryland and the Ohio river has been carried by the Republicans at the recent elections; while every State known before the rebellion as a slave State (with the exception of Missouri and Tennessee) is opposed to the policy of the Republicans, and to the proposed amendment to the Constitution of the United States. Missouri and Tennessee have both been forced to go with the Republican party by disfranchising a large portion of the white men of those States by means of military rule. Party spirit among the Republicans is now more violent, sectional and aggressive in its character than it was in 1860. Success has made it ambitious and despotic, intolerant and proscriptive. The Republican leaders now seem determined to force negro suffrage upon the Southern States, as a condition precedent to the restoration of the Union, and as a means also of perpetuating their own power; and the proposed amendments, in their present objectionable shape — so offensive, in some of their features, to the Southern people—are used only as a cover, or pretense, and, if successful, as an entering wedge to attain their ultimate ends and objects.

Delaware, Maryland, and Kentucky, and all the ten States now practically out of the Union, are all opposed to the 1st, 2d and 3d sections of the proposed amendment in their present form. All of those ten States prefer to stay out of the Union, and take care of themselves as best they can, without any representation in Congress, rather than adopt the proposed amendment; and without the approval of at least four of them, the proposed amendments can never become a part of the Constitution. It is, therefore, evident that the practical dissolution of the Union will continue for a series of years—and, very likely, until we drift into another great civil war—unless some compromise be effected.

A modification of each of the three first sections of the proposed amendment should be made by Congress; and an act should be passed giving a distinct pledge, that on the ratification of the proposed amendments by the Southern States, or by any of them, loyal representatives from the States so approving them, shall be immediately admitted into Congress.

The fourth section of the proposed amendments is very generally satisfactory to all parties and sections of the Union; and the first, second and third sections can be so amended, that many of the Southern States will accept them, if both parties will yield their extreme views, and act with a proper spirit of moderation and conciliation.

The freedmen and all the colored men born in the United States have, by virtue of their birth, emancipation, and the laws of the land, become citizens of the United States and of the States in which they reside, and they are entitled to the protection of the laws, and to the same civil rights as white citizens; but they are not entitled to any political rights and privileges, except such as have been, or may be, granted to them by the constitutions and laws of the several States, and are consistent with the peace and general welfare of the country.

Insert the words *civil rights* before the word *privileges* in the first section of the proposed amendments, so as to remove all obscurity, and limit the operation of the section to civil rights and privileges, and it will remove all reasonable objection to the section, and make

it very generally acceptable to all parties.

As a substitute for the second section amend the third clause of section 2, article 1, of the Constitution, which relates to taxation and representation, by inserting the word *white* after the word *free;* and the relative power of the several States would then continue, after the next census, substantially the same as it was fixed by the compromise of the Convention of 1787; to which the South could not reasonably object.

But the South may better submit to the second section of the proposed amendment as it is,—than to have universal suffrage forced upon them with universal amnesty—which has been harped upon by the radicals. If that section be adopted as it is, and the South be fully represented in the Senate, their rights would be more secure than they are now; and they would never be guilty of the egregious folly of conferring universal suffrage upon the adult males of their late plantation slaves.

To confer the elective franchise upon the masses of the late plantation slaves would probably be the greatest curse which could possibly befall the country. Confer the elective franchise and elegibility to office on white and colored men alike, in States where the latter constitute from 40 to 55 per cent of the whole population, and such rivalship and dissension, controversies and political struggles would be excited between the whites and blacks, that mobs and massacres would arise, and the country would soon be involved in a war of races. To maintain the peace of the country under such a state of things would be impossible.—The South might better be kept out of the Union, than be subjected to such trials in it—of which the history of Hayti furnishes a pregnant example.

Nor would equal suffrage, as it is called, be any better; but precisely the same thing—unless tests be adopted, by which a large class of the white men of the North and West be disfranchised in order to confer the elective franchise on a small portion only of the colored men. Do the radicals propose such a revolution as that, in our system of government?

Capacity to acquire and keep property furnishes evidence of thought and industry, prudence and foresight; and hence such a property qualification as is prescribed for the colored man by the Constitution of the State of New York would probably work well at the South; but ability to read and write furnishes a test of qualification too uncertain and dependent upon the prejudices or favoritism of election boards, and too weak and shadowy to be safe. Do the radicals propose to disfranchise all the white men of the North and West, as well as at the South, who cannot read and write the English language?

Strike out of the third section the words *or under any State*, and thereby confine the operation of that section to federal officers, and it would remove all its really objectionable features, and give it no more extensive operation than the test oath now has. If so amended, it would not interfere with the interior and domestic sovereignty and government of the States, and would not be inconsistent with the fundamental principles of our federal system of government. Those States should be represented by men who understand and can fairly represent their rights and interests. It is not necessary nor desirable that the passions and prejudices, the hatred for the Northern people, and the ambition for independence of the secession element of the Southern people, should be represented in Congress. The test oath cannot be repealed, and those States will be compelled to submit to it, unless the proposed amendment to the Constitution be adopted; and in that case the third section of the amendments should be regarded as a substitute for the test oath, a new oath should be prescribed in accordance therewith, and the present oath should be repealed.

The fifth section is in accordance with the practical construction given to the

last paragraph of the 8th section of article 1 of the Constitution. There is, therefore, no reasonable objection to it.

The President has a duty to perform in this matter—to recommend measures to Congress for the pacification of the country. And if public opinion be such that the measures which he deems best cannot be adopted, is it not his duty to consider all such matters, and the dangers to which the country is exposed, and to recommend, in a spirit of conciliation and compromise, such measures as may seem to be required by a majority of the people, and necessary for the peace and tranquility of the country? I have no reason to doubt that the President will faithfully do his duty in the future, as he has done in the past.

E. C. Seaman.

Ann Arbor, Nov,, 1866.

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